

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SIMON SCHATZMANN, JOHN MESSINA,  
and JOHN LEZOTTE,

Plaintiffs,

-v.-

HARRIS PARTNERS LTD., HARRIS TRUST  
PARTNERS LLC, and EDWARD P. HARRIS,

Defendants.

21 Civ. 7301 (KPF)

**ORDER**

KATHERINE POLK FAILLA, District Judge:

On May 10, 2023, the Court held a telephonic conference to discuss outstanding representation issues in the matter and Plaintiffs' anticipated motion to strike Defendant Harris's pleading and alternatively, to dismiss Harris's counterclaims. (Dkt. #20). The Court afforded Defendants an additional 45 days following that conference to obtain counsel and warned Defendants that after the expiration of that period, it would set a schedule for briefing of Plaintiffs' anticipated motion with or without the appearance of counsel. (See Minute Entry for May 10, 2023). Since that time, no counsel has appeared on Defendants' behalf, and Plaintiffs have obtained Certificates of Default as to corporate defendants Harris Partners Ltd. and Harris Trust Partners LLC. (Dkt. #48, 49). Individual defendant Edward P. Harris is proceeding in this matter pro se.

If Plaintiffs still wish file their proposed motion, they shall do so on or before **August 2, 2023**. Defendant Harris shall file his opposition on or before **September 6, 2023**. Plaintiffs shall file a reply in further support of their

motion on or before **September 27, 2023**. Plaintiffs are directed to mail a copy of their motion papers and the authorities relied upon therein to Defendant's address of record.

If Plaintiffs no longer wish to file their motion, they shall instead file a letter proposing next steps in this action on or before **August 2, 2023**.

The Clerk of Court is directed to mail a copy of this Order to Defendant's address of record as reflected in the Court's April 22, 2022 Order (Dkt. #24).

SO ORDERED.

Dated: June 28, 2023  
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

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KATHERINE POLK FAILLA  
United States District Judge